

MINUTES OF THE PLANNING COMMISSION MEETING OF DECEMBER 06, 2006, AT 6:00 P.M. HELD
IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER.

MEMBERS PRESENT: Tom Bowen, Geoff Armstrong, Sue Ryser, Jerri Harwell, Doug Haymore,
Gordon Nicholl, JoAnn Frost, Amy Rosevear

EXCUSED: Jim Keane

STAFF PRESENT: Planning Director Michael Black, Associate Planner Glenn Symes, Planning
Intern Bill Cobabe, City Attorney Shane Topham, Planning Coordinator Sherry
McConkey

OTHERS PRESENT: Mahmoud Shabazi, Andrew Day, Sylvia McRae, Dave McRae, Chuck O'Brien,
Howard Norton, Don Welch, Brent Walker, Frank Bagley, Russell Smith, Rod
Newman, Kirk Gilger, John Rutter, Mahrokh Akbarian, Carol Watkins, Richard
McNeil, Faye McNeil, Mark Johnson, Elke Kirsten Brauer

Chair Bowen called the meeting to order.

1.0 **PUBLIC COMMENT**

1.1 No public comment was given.

2.0 **ACTION ITEM – CONDITIONAL USE – WILLOWCREEK COVE PLANNED UNIT
DEVELOPMENT**

2.1 Mr. Symes explained the applicant had originally applied for a 5 lot PUD to be located at 2965 E.
Creek Road and has made revisions based on recommendations from the Planning Commission
and city staff at the meeting held on November 15, 2006. The applicant has reduced the number of
lots to 4 and staff is recommending approval.

2.2 Don Welch explained that the plans had been modified and hoped the 4 lot PUD would be
approved.

2.3 Dave McRay asked if all the lots were ¼ acre and if the proposed homes were single family not
town homes. He voiced his opposition to a through road, would like to see a cul-de-sac, and asked
if there were plans in place to improve the utilities due to frequent outages in the area.

Mr. Symes explained that a PUD is allowed variations of lot sizes and that this property is roughly
44000 square feet and the minimum lot size is 8000 square feet. Mr. Symes explained the
proposed elevations, and proposed materials.

2.4 Dave McRay asked about building on the eastside so a fire truck could turn around.

Mr. Symes explained that a cul-de-sac would take up too much land.

- 2.5 **MOTION:** Ms. Harwell moved to approve the conditional use permit for the proposed 4 lot PUD to be located at 2965 E. Creek Road. The motion was seconded by Mr. Armstrong. The motion passed unanimously on voice vote.

3.0 **PUBLIC HEARING – ZONE CHANGE – BILL STANWORTH**

- 3.1 Mr. Symes explained the applicant Bill Stanworth had applied for a zone change for 0.18 acres of property located at 6765 South 1300 East from R-1-8 to Neighborhood Commercial (NC) zone which is consistent with the General Plan. Mr. Symes noted that staff was recommending approval of this application.
- 3.2 Chair Bowen opened the public hearing.
- 3.3 No public comment was given.
- 3.4 Chair Bowen closed the public hearing.
- 3.5 Mr. Haymore moved to recommend approval to the City Council of the zone change from R-1-8 to Neighborhood Commercial with the recommendations of listed in the staff report dated 12-06-2006. The motion was seconded by Ms. Harwell and passed unanimously on voice vote.

4.0 **PUBLIC HEARING – ZONE CHANGE – BRENT WALKER**

- 4.1 Mr. Symes explained the applicant Brent Walker had applied for a zone change for 2.5 acres of property located at 1710 E. and 1726 E. Siesta Drive from RR-1-43 to RR-1-21. Staff has completed a review of this application and feels it is not compatible with the area and recommends denial of the application.
- 4.2 Kirk Gilger explained he had attempted to rezone this property with the County; the zone change had passed the Planning Commission and was rejected by Council. Mr. Gilger believes this change would benefit them as well as the surrounding community.
- 4.3 Chair Bowen opened the public hearing.
- 4.4 Gary Larsen, Caballero Drive, spoke of the uniqueness of the area and stated he is opposed to this development in its current form.
- 4.5 Andrew Day, 7724 S. Pheasant Wood Drive, expressed his concern that the property owner purchased the property solely to split it. He explained he is opposed to the development and further stated the property owner has failed to maintain the property in a proper manner. Mr. Day stated that he has had to trap wild cats on the property and turned them over to the county.
- 4.6 Rod Newman, 1739 Siesta Drive, stated his opposition of smaller lots in the area and would like to see the property left RR-1-43. Mr. Newman explained that smaller lots would not be conducive with

the surrounding properties. Mr. Newman noted problems with the current state of the property and that it needs to be cleaned up.

4.7 Howard Norton, 7674 Caballero, has 1.21 acres and is opposed to the re-zone and asked the commission to deny the application.

4.8 Chair Bowen closed the public hearing.

4.9 Mr. Nicholl stated that he had received a call from Mr. Pierce; a resident that stated his opposition to the zone change and reiterated the need to force the property owner to clean up the mess.

4.10 **MOTION:** Mr. Nicholl moved to deny the request for a zone change from RR-1-43 to RR-1-21 for property located at 1710 E. and 1726 E. Siesta Drive. The motion was seconded by Mr. Armstrong.

4.11 Ms. Ryser stated that the CCR's are in affect on this property and Mr. Gilbert was aware of them when he purchased the land

4.12 Mr. Haymore stated his opposition to the rezone and that he is in full agreement of the statements made by the citizens at this meeting. The property was purchased with a clear understanding of the CCR's and zoning.

4.13 The motion passed unanimously on voice vote.

5.0 **PUBLIC HEARING – TITLE 19.18; RR-1-29 RURAL RESIDENTIAL**

5.1 Mr. Black stated this is public hearing on a proposed addition to Title 19.18; RR-1-29 Rural Residential Zone. The minimum lot size for this zone would be 29,000 square feet or 2/3 of an acre.

5.2 Chair Bowen opened the public hearing.

5.3 Gordon Thomas expressed his opposition to down sizing and would like to keep larger lots.

5.4 John Gust stated he is in favor of this zone because it is a middle of the road zone and could be used for the Meadows project.

5.5 Ms. Rosevear stated that the wording is too loose and needs to be tightened.

5.6 John Rutter, 1883 Siesta Drive, stated he would like to see the city keep larger lots and not down size.

5.7 Planning Commission and city staff discussed changes to the wording in the ordinance and recommended additional changes.

5.8 Chair Bowen closed the public hearing.

5.9 **MOTION:** Mr. Haymore moved to approve the RR-1-29 Rural Residential Zone with the modification discussed. The motion was seconded by Mr. Nicholl and passed 6-1 with Ms. Harwell opposed.

6.0 **REVIEW ITEM- AMENDMENTS TO SECTION 19.76.270; HOME OCCUPATION**

6.1 Mr. Black stated that this is a review of the Home Occupation ordinance. This item will be continued to a future meeting.

7.0 **REVIEW ITEM- AMENDMENTS TO SECTION 19.78; PLANNED UNIT DEVELOPMENT**

7.1 Mr. Black explained this is a review of the PUD (Planned Unit Development) portion of the code and asked the commission to give him input and suggestions on proposed changes to the ordinance. Mr. Black introduced clustering and showed samples of clustering.

8.0 **APPROVAL OF MINUTES**

8.1 Ms. Frost moved to approve the minutes for September 06, 2006, October 04, 2006, October 18, 2006, and November 01, 2006. The motion was seconded by Mr. Nicholl and passed unanimously on voice vote.

9.0 Ms. Ryser moved to adjourn. The motion was seconded by Mr. Haymore and passed unanimously on voice vote.

Meeting adjourned at 9:00 p.m.

Approved: 1-17-2007 sm